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AGENDA ITEM

☐ **For Possible Action**

☒ **Information Only**

Date: April 11, 2013

Item Number: IV

Title: Executive Director's Report

PURPOSE

The purpose of this report is to provide information to the Board and public regarding the status of the Exchange's implementation of a state based health insurance exchange and other operational matters of the Exchange.

CONTENTS

2013 LEGISLATIVE SESSION

The 77th Session of the Nevada State Legislature began on February 4, 2013 and is scheduled to conclude on June 3, 2013. Staff expects to present at the money committees (Senate Finance and Assembly Ways and Means), the health committees (Senate Health and Human Services and Assembly Health and Human Services) and the commerce committees (Senate Commerce, Labor and Energy and Assembly Commerce and Labor). Please see the Legislature's Calendar of Meetings for more details. Additionally, staff will update the Exchange's Legislative Update page as presentations are scheduled.

Figure 1: Schedule of Presentations for the Legislature

Date	Committee
January 25, 2013	Legislative Commission's Budget Subcommittee
February 13, 2013	Assembly Health and Human Services Committee
February 22, 2013	Assembly Committee on Commerce and Labor
February 28, 2013	Senate Health and Human Services Committee
March 27, 2013	Senate Finance and Assembly Ways and Means Joint

Staff is currently tracking several bills. As we identify bills that may have an impact on the Exchange, the bills will be added to the Exchange's Legislative Update webpage and included in the Board's discussions regarding bills that may impact the Exchange.

STATUS OF EXCHANGE IMPLEMENTATION

FEDERAL REGULATIONS

Since November, there has been a flurry of federal regulatory activity. Staff has been working with other state agencies to determine the impact of these regulations on Nevada and will provide comments to the Federal Government, if necessary.

RULES WITH COMMENTS SUBMITTED

On February 1, 2013, CMS published Proposed Rule CMS–9958–P regarding Patient Protection and Affordable Care Act; Exchange Functions: Eligibility for Exemptions; Miscellaneous Minimum Essential Coverage Provisions (Federal Register, Vol. 78, No. 22, Friday, February 1, 2013, Proposed Rules, pp. 7348-7371). Comments were due March 18, 2013. The Exchange submitted comments regarding this regulation to CMS on March 18, 2013.

PROPOSED OR INTERIM FINAL RULES WITH COMMENTS DUE

On February 1, 2013, the IRS published Proposed Rule REG-148500-12 regarding Shared Responsibility Payment for Not Maintaining Minimum Essential Coverage (Federal Register, Vol. 78, No. 22, Friday, February 1, 2013, Proposed Rules, pp. 7314-7331). Comments are due May 2, 2013.

On March 4, 2013, the IRS published Proposed Rule REG–118315–12 regarding Health Insurance Providers Fee (Federal Register, Vol. 78, No. 42, Monday, March 4, 2013, Proposed Rules, pp. 14034-14046). Comments are due on June 3, 2013.

On March 11, 2013, CMS published Interim Final Rule CMS–9964–IFC regarding Patient Protection and Affordable Care Act; Amendments to the HHS Notice of Benefit and Payment Parameters for 2014 (Federal Register, Vol. 78, No. 47, Monday, March 11, 2013, Rules and Regulations, pp. 15541-15552). Comments are due on April 30, 2013.

On March 11, 2013, CMS published Proposed Rule CMS–9964–P2 regarding Patient Protection and Affordable Care Act; Establishment of Exchanges and Qualified Health Plans; Small Business Health Options Program (Federal Register, Vol. 78, No. 47, Monday, March 11, 2013, Proposed Rules, pp. 15553-15558). Comments were due on April 1, 2013. No comments were submitted.

On April 3, 2013, CMS issued intent to publish preliminary regulation CMS-9955-P regarding Exchange Functions: Standards for Navigators and Non-Navigator Assistance Personnel. Comments will be due 30 days after the regulation is published in the Federal Register.

TECHNICAL IMPLEMENTATION

The Exchange and Xerox have completed the Requirement and Configuration (RAC) session meetings for RAC C on schedule. Follow up includes responses to questions that were raised during the meetings and a final report. RAC D is scheduled to begin in May.

The combined Eligibility Engine/BOS teams participated in the federally required IT Detailed Design Review on April 5, 2013. This completed the Design Review that began in July. The third and final Establishment Review, the Operational Readiness Review is tentatively scheduled for August 2013.

Attachment A includes a high level roadmap that includes the progress of the BOS implementation (page 1) as of April 2, 2013 and high level dependencies with CMS and the Division of Welfare and Supportive Services (page 2). The five activities that were previously reported as behind schedule have been caught up.

Additionally, deliverables provided by the Xerox team can be found on the Business Operations Solutions (BOS) webpage. The following deliverables have been accepted since the January Quarterly Staff Report.

Figure 2: Deliverables Provided by Xerox Since January 1, 2013

Deliverable	Estimated Acceptance Date	Actual Acceptance Date	Days Variance +/-
Cost Management Plan	12/28/2012	1/18/2013	+21
Risk Management Plan	2/8/2013	2/8/2013	0
Requirements Specification Document A	2/15/2013	2/15/2013	0
Requirements Traceability Matrix A	2/15/2013	2/4/2013	-11
Requirements Specification Document B	4/26/2013	4/2/2013	-24
Requirements Traceability Matrix B	4/26/2013	3/27/2013	-30
Hosting Environment Plan	1/24/2013	3/8/2013	+43

Carrier Onboarding

The Exchange held its third and fourth carrier onboarding meetings on February 27 and March 13. At the request of several of the carriers, the schedule of nine Wednesday meetings has been compressed so that it is completed three weeks earlier than originally scheduled. The Exchange posts the meeting materials for the onboarding meetings on the Wednesday prior to the meeting (7 days prior). Carriers that provide their questions by the Monday prior to the meeting (2 days prior) will have their questions incorporated into the presentation. Additionally, the questions and answers for each meeting are posted following the meeting. The Exchange is working on compiling all of the questions and answers in a single excel file that can be filtered, sorted and searched.

Finally, the Exchange is scheduling one-on-one meetings with carriers to provide their technical teams with information necessary to ensure the back end systems can communicate eligibility, enrollment and payment information.

Navigators and Enrollment Assisters

On March 1, 2013, the Exchange published its State Fiscal Year 2014-2015 Request for Applications and Instructions for Grants for Navigators and Enrollment Assisters. The Exchange received 100 Questions and Answers which were published on the Navigators, Enrollment Assisters and CACs web page. The Exchange received approximately 20 responses by the April 4 deadline. Staff has reviewed the responses and will provide notes to the selection committee which will meet prior to the next Board meeting. Final selection results will be presented to the Board on May 9.

On April 3, 2013, CMS issued intent to publish preliminary regulation CMS-9955-P regarding Exchange Functions: Standards for Navigators and Non-Navigator Assistance Personnel. Many of the provisions are nearly identical to those found in the Exchange's plan for Navigators, Enrollment Assisters, Certified Application Counselors and Producers. However, staff is concerned about a requirement that Enrollment Assisters must have 30 hours of training. The rule does not provide an hour requirement for Navigators or CACs. The course for Navigators, Enrollment Assisters and CACs is currently being designed to be 20 hours.

MARKETING AND ADVERTISING

In March, the Board selected "Nevada Health Link" as the brand name for the Exchange. Today, KPS3 will present tag lines and logos for selection. Once logos and color pallets are selected, the Exchange website will be updated with the new brand (though the general navigation structure of the site will remain the same).

KPS3 has completed a survey to determine where and when advertisements should be focused through the summer and fall. The survey will help better define the media for the Exchange advertisements and will provide a baseline to measure success of the advertising campaign. Results of the survey will be provided to the Board in May.

UPCOMING EVENTS AND DEADLINES

The Northern Nevada Exchange Summit is scheduled on Tuesday, June 11, 2013 at the Sparks Nugget. The Southern Nevada Exchange Summit is tentatively scheduled for Friday, June 14, 2013, location TBD. The Exchange Summits will provide information on a variety of topics to Exchange stakeholders. Staff is working on an agenda and will attempt to work with various organizations to provide continuing education credits where possible. We intend to invite insurers, brokers, navigators, enrollment assisters, consumer advocacy groups, providers, tax preparers, tribe members, small businesses, chambers of commerce and members of the public. Registration will be required. Board members are encouraged to attend.

Figure 3: Upcoming Events and Deadlines (subject to change)

Event	Date
Legislative Session	February 4, 2013 – June 3, 2013
Grant Selection Committee makes final selection of Navigators and Enrollment Assister grantees	May 2, 2013
Marketing Phase 2 – Education Campaign	May 2013 – October 2013
Last day for carriers to submit plans for certification as QHPs	June 7, 2013
Northern Nevada Exchange Summit, Sparks Nugget	June 11, 2013
Southern Nevada Exchange Summit, TBD	June 14, 2013
Plans certified as QHPs	July 2013
Outreach and Enrollment Training begins for Navigators, Enrollment Assisters, Certified Application Counselors and Producers	July 2013
QHP/Xerox Integration	July 2013 – August 2013
Go-Live for Initial Open Enrollment	October 1, 2013 (201 days)
Marketing Phase 3 – Call to Action	October 2013 – March 2014
First Date of Coverage	January 1, 2014

ADVISORY COMMITTEES

The Board has approved 34 substantial recommendations made by the Advisory Committees.[1]

FINANCE AND SUSTAINABILITY

Committee work complete.

PLAN CERTIFICATION AND MANAGEMENT

On April 18, the Committee will review network adequacy for the Board's consideration on April 24.

CONSUMER ASSISTANCE

Committee work complete pending publication of the final rules regarding appeals. The Proposed Rule, CMS-2334-P regarding appeals was published on January 22, 2013.

SMALL BUSINESS HEALTH OPTIONS PROGRAM (SHOP) EXCHANGE

Committee work complete.

REINSURANCE AND RISK ADJUSTMENT

Committee work complete.

COMMITTEE CALENDAR

Figure 4: Upcoming Board and Committee Meetings (Subject to Change)

Date	Time	Committee
Thursday, April 11	1:30 PM	Board Meeting
Thursday, April 18	9:30 AM	Plan Certification and Management
Wednesday, April 24	4:00 PM	Board Meeting
Thursday, May 9	1:30 PM	Board Meeting

[1] See Advisory Committee Recommendations Approved by the Board

BOARD CALENDAR

Figure 5: Board Calendar (Subject to Change)

Board Month	Description	Implementation Plan or Other Reference
April 11, 2013	Legislative update	
	Review and approve logo and tag lines for the Exchange	
	Quarterly Financial Consumer Outreach and IT Implementation Reports	
April 24, 2013	Legislative update (4:00 pm via phone)	
May 9, 2013	Legislative update	
	Review navigator and enrollment assister grantee organizations	Section 3.1 Consumer Assistance Section 7.2.1 Key Decisions
May 29, 2013	Legislative update (4:00 pm via phone)	
June 13, 2013	Legislative update	
	Review health plans submitted by insurers	Section 4.6 SHOP Exchange Section 7.4 Key Decisions
	Approve Fiscal and Operational Report	NRS 695I.370(1)(b)
July 11, 2013	Quarterly Financial Consumer Outreach and IT Reports	
August 8, 2013	Review and approve metrics and evaluation plan.	Section 6 Oversight and Program Integrity
October 10, 2013	Open Enrollment Update	
	Quarterly Financial Consumer Outreach and IT Reports	
November 7, 2013	Open Enrollment Update	
	Elect or reelect chair and vice chair	NRS 695I.320
December 12, 2013	Open Enrollment Update	
	Review and approve the Fiscal Year 2013 audit of the Exchange's functions and operations	NRS 695I.370(1)(d)
	Approve Fiscal and Operational Report	NRS 695I.370(1)(b)
	Approve Activities of the Exchange Report	NRS 695I.370(1)(c)
January 9, 2014	Open Enrollment Report	
	Set fees to be charged to QHPs in CY 2015	Regulation: Ex-01-A
	Quarterly Financial Consumer Outreach and IT Reports	

Board Month	Description	Implementation Plan or Other Reference
February 13, 2014	Open Enrollment Report	
March 13, 2014	Open Enrollment Report	
April 10, 2014	Open Enrollment Report	
	Review performance of the Executive Director	
	Quarterly Financial Consumer Outreach and IT Reports	
June 12, 2014	Approve Fiscal and Operational Report	NRS 695I.370(1)(b)
	Review strategic plan and Board Bylaws	
	Set priorities for Agency Request Budget	
August 14, 2014	Approve Agency Request Budget	
	Quarterly Financial Consumer Outreach and IT Reports	
October 9, 2014	Quarterly Financial Consumer Outreach and IT Reports	
November 13, 2014	Open Enrollment Report	
	Elect or reelect chair and vice chair	NRS 695I.320
December 11, 2014	Open Enrollment Update	
	Review and approve the Fiscal Year 2014 audit of the Exchange's functions and operations	NRS 695I.370(1)(d)
	Approve Fiscal and Operational Report	NRS 695I.370(1)(b)
	Approve Activities of the Exchange Report	NRS 695I.370(1)(c)
January 8, 2015	Open Enrollment Report	
	Set fees to be charged to QHPs in CY 2016	Regulation: Ex-01-A
	Quarterly Financial Consumer Outreach and IT Reports	
February 12, 2014	Legislative update (4:00 pm via phone)	
February 26, 2014	Legislative update (4:00 pm via phone)	
March 12, 2014	Legislative update (4:00 pm via phone)	
March 26, 2014	Legislative update (4:00 pm via phone)	
April 9, 2014	Legislative update	
	Review performance of the Executive Director	
	Quarterly Financial Consumer Outreach and IT Reports	
April 30, 2014	Legislative update (4:00 pm via phone)	